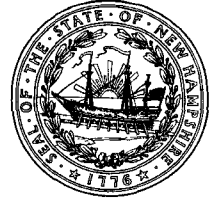




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
SP 06-001**

January 17, 2006

16 Antrim Road LLC
C/o Dennis Roberts Jr.
PO Box 2160
Hillsborough, NH 03244

RE: DES Wetlands File #2004-01235 16 Antrim Rd, Hillsborough

Dear Mr. Roberts Jr.:

On November 30, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Hillsborough Tax Map 11K as Lot 323 (the "Property"). The purpose of the inspection was to determine compliance with RSA 483-B and NH Code of Admin. Rules Env-Ws 1400-1411.

Based on the inspection and further file review the following deficiencies were documented:

1. Photos of the subject property, taken around the start of the expansion in 1998 (construction of the body shop and associated parking), document shrubs, saplings and trees located along the rivers edge on the north side of the property extending downstream from the present location of the flag pole, then transitioning to primarily shrubs along the southeastern and southern sides of the property approaching Route 202.
2. Present site conditions clearly document the removal of woody vegetation along the banks of the river, perpetuated through the practice of using a brush hog (as stated by Mr. Roberts Jr. during the November 30, 2005, site inspection) to maintain the height of vegetation along the river, below the parking lot area.
3. The cutting and continued maintenance of existing vegetation has taken place in an area covering an approximately 50 foot wide buffer extending out from the parking lots and retaining walls to the river banks along the Contoocook River.

In response, you are requested to take the following actions:

1. Within 45 days of receipt of this Letter of Deficiency, submit a restoration plan to DES. The restoration plan should include replacement and reestablishment of native and natural vegetation along the banks of the Contoocook River within the 50 foot buffer.

The plans should consider the selective pruning of the maple stump sprouts to promote their regeneration along the north side opposite the body shop. Please submit the following with the restoration plan:

- a. A plan with dimensions, drawn to scale, showing;
 - i. existing conditions, with the location of the buildings, retaining walls, and trailer pads in relation to the banks of the river.
 - ii. proposed conditions after restoration with native vegetation, to include the potential for a maintained walking path and sitting area(s), as discussed during the site inspection.
 - b. A detailed description of the proposed means of erosion and sediment controls and stabilization of the restoration area;
 - c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area in accordance with a flood prone area. The plan should include the number, type of plant species, proposed location of plantings, and sizes. Saplings should be a minimum of 4-6 feet in height, shrubs should be a minimum 3 gallon or 24" to 36" B&B (burlap ball) size and all plantings should be from the list of New Hampshire native and naturalized species (copy enclosed). Saplings should be proposed in areas where trees were removed.
 - d. A description of the proposed construction sequence and methods for accomplishing the restoration, and time frame for completion.
2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 483-B, the New Hampshire Comprehensive Shoreland Protection Act, was enacted to protect and preserve the shorelands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-B and Env-Ws 1400-1411 establish minimum standards for the future subdivision, use, and development of the shorelands within 250 feet of the state's public waters.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 483-B will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

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All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Jeffrey D. Blecharczyk
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Jeffrey D. Blecharczyk at (603) 271-6876 or b email at jblecharczyk@des.state.nh.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Collis G. Adams", is written over a large, bold, black "COPY" stamp.

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7005 0390 0001 8424 3068

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit
Hillsborough Conservation Commission
Hillsborough Board of Selectmen
Rod Zwirner, Contoocook North Branch Rivers LAC
USACOE